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7 *Attorney for Defendant*

8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 * * *

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 vs.

15 JASON LIEBOLD,
16 Defendant.

CASE NO.: 2:15-mj-00340-VCF

**STIPULATION TO CONTINUE
PRELIMINARY HEARING**

17 IT IS HEREBY STIPULATED AND AGREED, by and between JASON LIEBOLD, by
18 and through JONATHAN POWELL, ESQ., counsel for the Defendant, and the UNITED STATES
19 OF AMERICA, by and through Jiamie Chen, Assistant United States Attorney, that the
20 Preliminary Hearing date in the above-captioned matter be continued for seven (7) days or to a
21 time convenient to this Honorable Court.

22 This stipulation is entered into for the following reasons:

- 23 1. Counsel for Defendant was recently appointed and additional time is necessary to
24 continue pre-indictment plea negotiations.
- 25 2. The Government has no objection to the requested continuance.
- 26 3. Defendant has no objection to a continuance of this matter. Defendant is in custody.
- 27 4. Denial of this request for continuance would result in a miscarriage of justice.
- 28

- 1 5. This request for a continuance is made in good faith and is not intended to delay the
2 proceedings in this matter.
- 3 6. The additional time requested by this stipulation is excludable, if necessary, in
4 computing the time within which the trial herein must commence pursuant to the
5 Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A), when considering the factors under 18
6 U.S.C. §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv) and any other relevant statutes
7 regarding Defendant's right to a preliminary hearing.
- 8 7. For all the above-stated reasons, the ends of justice would be best served by a
9 continuance of the sentencing date.
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13 DATED this 8th day of December, 2015.

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15 /s/ Jonathan Powell
16 JONATHAN POWELL, ESQ.
17 Counsel for Defendant LIEBOLD

/s/ Jiamie Chen
 JIAMIE CHEN
 Assistant United States Attorney

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JASON LIEBOLD,

Defendant.

CASE NO. 2:15-mj-00340-VCF

**ORDER TO CONTINUE PRELIMINARY
HEARING**

FINDINGS OF FACT

Based on the pending Stipulations of the parties, and good cause appearing therefore, the Court finds that:

1. Counsel for Defendant was recently appointed and additional time is necessary to continue pre-indictment plea negotiations.
2. The Government has no objection to the requested continuance.
3. Defendant has no objection to a continuance of this matter. Defendant is in custody.

CONCLUSIONS OF LAW

1. Denial of this request for continuance would result in a miscarriage of justice.
2. This request for a continuance is made in good faith and is not intended to delay the proceedings in this matter.
3. The additional time requested by this stipulation is excludable, if necessary, in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A), when considering the factors under 18

1 U.S.C. §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv) and any other relevant statutes
2 regarding Defendant's right to a preliminary hearing.

3 4. For all the above-stated reasons, the ends of justice would be best served by a
4 continuance of the sentencing date.

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7 **ORDER**

8 IT IS ORDERED that the Preliminary Hearing in the instant matter be continued.

9 IT IS FURTHER ORDERED that the Preliminary Hearing in this matter be scheduled for
10 the 22nd day of December, 2015, at 4:00 ~~am~~/pm.

11 **DATED** this 8th day of December, 2015.

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16 UNITED STATES MAGISTRATE JUDGE